



## MEMORANDUM

**TO:** Ricardo Soliz, Division Manager  
Parks and Recreation Department

**FROM:** Christopher Herrington, P.E.  
City of Austin Environmental Officer

**DATE:** June 20, 2019

**SUBJECT: Environmental Considerations for Walter E. Long Park Master Plan**

The purpose of this memo is to provide a summary of environmental regulations needing consideration in the Walter E. Long Park Master Plan.

Although a detailed Environmental Resource Inventory has not been completed, Lake Long is known to contain multiple high-value water quality resources, including wetland shoreline fringe Critical Environmental Features that are of the highest quality in the City, and significant habitat preserves as noted in the Master Plan. Providing additional park improvements that provide enhanced public access to these environmental resources, while protecting or restoring the integrity of those environmental resources, is correctly a central part of the Master Plan framework.

Land Development Code Section 25-8-22 (*Development by the City*) requires that all development by the City of Austin, including park development, must comply with water quality protection requirements of City code including protections for shorelines and critical environmental features. Environmental staff recognize that the Master Plan contains maps depicting proposed development in a conceptual, illustrative manner. However, the images in the Master Plan give an impression that intense development is planned along the shoreline and potentially within the buffers of Critical Environmental Features and the Critical Water Quality Zone that may conflict with City code.

The illustrations in the Master Plan may conflict with the following water quality code requirements, and may need administrative, Land Use Commission, or Board of Adjustment variances to permit:

- 25-2, Subchapter C, Article 13 (*Docks, Bulkheads, and Shoreline Access*) contains specific regulations for docks, marinas, and shoreline access, including a limitation on dock length of 30 feet that appears to be exceeded in the Master Plan. Please note that variances to these regulations require Board of Adjustment approval.
- 25-8-261 (*Critical Water Quality Zone Development*), which generally prohibits development within 100 feet of the shoreline of Lake Walter E. Long.

- 25-8-281 (*Critical Environmental Features*), prohibits construction within 150 feet of a spring. Alluvial/terrace deposit springs may exist within the park.
- 25-8-282 (*Wetland Protection*), prohibits construction within 150 feet of a wetland. Substantial high-quality wetland Critical Environmental Features exist both along the shoreline and in the upland areas of the park.
- 25-8-301 (*Construction of a Roadway or Driveway*) and 25-8-302 (*Construction of a building or parking area*) limits construction on steep slopes. Topography within the park may affect some proposed development.
- 25-8-341 (*Cut Requirements*) and 25-8-342 (*Fill Requirements*) generally limit grading to 4 feet.
- 25-8-364 (*Floodplain Modification*), limits floodplain modification which may affect proposed development along the shoreline.
- 25-8-368 (*Restrictions on development impacting Lake Austin, Lady Bird Lake, and Lake Walter E. Long*) limits dredging in the lake, prohibits fill in the lake, and prohibits vertical bulkheads which may affect proposed development along the shoreline.

Additionally, please note the following general comments:

- The language about the Critical Water Quality Zone in the Master Plan is inaccurate. The Critical Water Quality Zone of Lake Walter E. Long coincides precisely with the 554.5 foot contour, and extends inland 100 feet, per 25-8-92 (*Critical Water Quality Zones Established*). Development is generally prohibited within the Critical Water Quality Zone. Development that must be located within the Critical Water Quality Zone should be explicitly identified within the Master Plan for the exemption in 25-8-261(B)(2) (*Critical Water Quality Zone Development*) is to be utilized at the time of site development.
- Wetlands are Critical Environmental Features, per 25-8-282 (*Wetland Protection*), and have a 150 foot protective setback. The City of Austin list of identified wetlands is more complete than the National Wetlands Inventory referenced in the Master Plan. However, an Environmental Resource Inventory, per 25-8-121 (*Environmental Resource Inventory Requirement*), will be needed at the time of site development permit application to accurately identify all potential Critical Environmental Features on the site.
- Development is proposed to be located in areas that are known to contain high quality wetland Critical Environmental Features. Construction within wetland buffers may be allowed with mitigation, but given the natural conditions of the larger park and the quality of those extant wetlands, mitigation of those features may be extremely difficult.

Rather than extensively amending the Master Plan to address these concerns, explicit language should be added to the Master Plan to indicate that:

- “The images in the document with regard to compliance with City code are for illustrative purposes only.”

- “The proposed development will comply with water quality code requirements at the time of site development permit application or otherwise seek necessary variances, when more detailed development plans have been created.”

Addition of these statements allows the conceptual designs in the Master Plan to proceed with the current level of detail, and with the assurance that the natural resources of the park will be protected and without creating confusion in the future at the time of permitting. If you have any questions as it regards these potential environmental compliance issues, please me at 512-974-2840 or [chris.herrington@austintexas.gov](mailto:chris.herrington@austintexas.gov), or Atha Phillips at 512-974-2132.